IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. No. 1131 /2004 Division Bench

APPELLANTS CLAIMANTS :-

1. Smt. Champa Bai aged 30 years, wife of late Baldau @ Krishna Kumar Marawi. 20000/-

2. Rakesh Kumar aged 09 years S/o. late Baldau @ Krishna Kumar Marawi.

3. Mukesh Kumar aged 06 years S/o. late Baldau @ Krishna Kumar Marawi.

4. Ku. Noni @ Ashwani Ku, aged 03 years, D/o late Baldau @Krishna Kumar Marawai. 30,000/ FDR

5. Ku. Subhadra aged about 1 years, D/o late Baldau @ Krishna Kumar Marawi.

Appellant No. 2 to 5 being minor representing mother being natural guardian Smt. Champa Bia Wd/o late Baldau @ Krishna Kumar Marawi.

P.R. No. 2455 of Kundan Singh
Presented by Shri
dated 02.11.04

6. Ram Kunwar aged about 50 years, wife of Sundar Lal Marawei. 10000/

7. Sundar Lal S/o. Chiman Singh Gond, aged about 60 years,

All by caste Gond, R/o. Village Basaha, Tah. Seepat, Distt. Bilaspur (C.G.).

VERSUS

RESPONDENTS NON-CLAIMANTS :-

1. Ramprasad S/o. Lal Singh, R/o. Village Bambhorisar P.S. Talbehar Distt. Lalitpur (U.P.) At present C/o. Ajmer Singh S/o. Rajan Singh Bhanpuri, Raipur (C.G.), Truck No. CC-04/ZC/0618 (DRIVER)

2. Ajmer Singh S/o.Rajan Singh, R/o. Village Punjab fright careers Bhanpuri, Raipur (C.G.) Owner of Truck No. CG-04/ZC/0618.

3. The New India Insurance Company Limited, Raipur, through -Manager New India Insurance Company Ltd. Rajendra Nagar Chowk, Bilaspur (CG)

MISC. APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT 1988.

LOK ADALAT

Chhattisgarh High Court Campus, Bilaspur

Miscellaneous Appeal No.1131 of 2004

APPELLANTS/: (Claimants) — Smt. Champa Bai and others

- Versus -

RESPONDENTS/: (Non-claimants) — Ramprasad and others

AWARD
(Passed on 7th April, 2007)

Mr. P.K. Tulsyan, Advocate appears on behalf of Mr. M.K. Bhaduri, counsel for the appellants along with Smt. Champa Bai (appellant No.1) & Sundar Lal (appellant No.7).

Mr. Ali Asgar, Advocate for respondent No.3 along with Company Officers.

The above appeal has been listed before this Lok Adalat Bench and the parties have filed a compromise petition for full and final settlement for an amount of Rs.1,60,000/- (Rupees one lakh sixty thousand only) in addition to the amount already awarded.

Therefore, since the matter has been settled in the Lok Adalat for full & final amount of Rs.1,60,000/-, it is directed that out of Rs.1,60,000/-,

1. Rs.30,000/- each in the names of appellants No.2 to 5 (Rakesh Kumar, Mukesh Kumar, Ku. Noni @ Ashwani Ku. & Ku. Subhadra), children of the deceased, be deposited in a fixed deposit in a nationalized bank, till these children become majors.
2. Rs.20,000/- in cash be paid to appellant No.1 Smt. Champa Bai.
3. Rs.10,000/- each, in cash be paid to appellants No.6 & 7.

Appellants No.2 to 5 shall be entitled to en-cash the fixed deposits on maturity of the deposits.

If the amount as detailed above is not paid or deposited in the Bank within two months from today, the appellants shall be entitled to interest @ 9% per annum, from the date of filing of this appeal.

Sd/-
L.C.BHADOO
Judge

Sd/-